

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,
Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DEFENDANTS LISTED ON EXHIBIT 1
ATTACHED HERETO,

Defendants.

Adv. Pro. Nos. listed on Exhibit 1
Attached Hereto

**JOINDER TO THE TRUSTEE'S OMNIBUS MOTION FOR LEAVE TO REPLEAD
PURSUANT TO FED. R. CIV. P. 15(a) AND COURT ORDER AUTHORIZING
LIMITED DISCOVERY PURSUANT TO FED. R. CIV. P. 26(d)(1) AND RELATED
MEMORANDUM OF LAW**

Young Conaway Stargatt and Taylor, LLP ("Young Conaway") is counsel to Irving H. Picard (the "Trustee"), as trustee for the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities, LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.* ("SIPA"), and the estates of Bernard L. Madoff in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"), and is

counsel of record for the Trustee in the adversary proceedings identified on **Exhibit 1** annexed hereto (collectively, the “YCST Adversary Proceedings”).

In the above noted capacity, on the date herewith, Young Conaway, on behalf of the Trustee, has filed the *Trustee’s Omnibus Motion for Leave to Replead Pursuant to Fed. R. Civ. P. 15(a) and Court Order Authorizing Limited Discovery Pursuant to Fed. R. Civ. P. 26(d)(1)* (the “Motion”) and hereby joins, in its entirety, the related *Trustee’s Memorandum of Law in Support of Omnibus Motion for Leave to Replead Pursuant to Fed. R. Civ. P. 15(a) and Court Order Authorizing Limited Discovery Pursuant to Fed. R. Civ. P. 26(d)(1)* [Docket No. 7827] (the “Memorandum”) filed by Baker & Hostetler LLP, on August 28, 2014, in Case No. 08-10789, and adopts as its own all arguments asserted therein in support of the Motion.

In support of the Motion, on the date herewith, Young Conaway has also filed, on behalf of the Trustee, the *Declaration of Matthew B. Lunn in Support of the Trustee’s Omnibus Motion for Leave to Replead Pursuant to Fed. R. Civ. P. 15(a) and Court Order Authorizing Limited Discovery Pursuant to Fed. R. Civ. P. 26(d)(1)* (the “Lunn Declaration”).

[Remainder of Page Intentionally Left Blank]

For the reasons set forth in the Memorandum, the Trustee respectfully requests that the Bankruptcy Court enter an order: (i) granting him leave to replead the operative complaints in the YCST Adversary Proceedings, pursuant to Fed. R. Civ. P. 15(a), made applicable to this proceeding pursuant to Fed. R. Bank. P. 7015; and (ii) directing the defendants in the YCST Adversary Proceedings to comply with the proposed Limited Document Discovery Demand attached as Exhibit A to the Lunn Declaration, pursuant to Fed. R. Civ. P. 26(d), made applicable to this proceeding by Fed. R. Bankr. P. 7026(d).

Dated: August 28, 2014
New York, New York

/s/ Matthew B. Lunn

Matthew B. Lunn

Justin P. Duda

YOUNG CONAWAY STARGATT & TAYLOR, LLP

1270 Avenue of the Americas

Suite 2210

New York, New York 10020

Telephone: (212) 332-8840

Facsimile: (212) 332-8855

*Attorneys for Irving H. Picard,
Trustee for the
Substantively Consolidated SIPA
Liquidation of
Bernard L. Madoff Investment
Securities LLC
and Bernard L. Madoff*

EXHIBIT 1

YCST Adversaries

Adversary Proceeding	Adversary Proceeding Number
Picard v. Caceis Bank Luxembourg, <i>et al.</i>	11-02758
Picard v. Crédit Agricole (Suisse) S.A., <i>et al.</i>	12-01022
Picard v. Barfield Nominees Limited, <i>et al.</i>	12-01669
Picard v. Crédit Agricole Corporate and Investment Bank	12-01670
Picard v. Intesa Sanpaolo SpA, <i>et al.</i>	12-01680